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March 25, 2003 LB 55, 121, 221, 383, 666, 667

SENATOR JENSEN: Thank you, Mr. Speaker. AM0821 is a comprehensive amendment that does become the bill and replaces all provisions and amendments. It contains provisions of LB 667 as amended by the committee, removes provisions of LB 55 from the bill except for one harmonizing section, and adds provision of four other bills. The bills added are...to AM0821 are LB 121 and LB 222 or LB 221, excuse me, LB 121 and LB 221 relating to the practice of pharmacy and prescription drugs, LB 383 relating to food stamp eligibility for convicted drug felons, and LB 666 relating to automatic or automated external defibrillators or AEDs. I have given you a summary of AM0821 and its provisions. Each of the bills included in the amendment were advanced unanimously and, again, without dissent. There is also no fiscal impact to the amendment. LB 121 deals with mail order pharmacies and was introduced by Senator Brown. It renames the Mail Service Prescription Drug Act to the Mail Service Pharmacy Licensure Act. It requires all mail order pharmacies to be licensed in the state and permits the Department of HHS Regulation and Licensure to discipline the license of a mail order pharmacy. It also requires each mail order pharmacy to employ full time a pharmacist who is licensed in Nebraska under the Uniform Licensure law. The purpose of the bill is to protect the public safety by appropriately...appropriately regulating mail order pharmacies who deliver drugs into the state of Nebraska. The intent is not to prevent drugs from being shipped or otherwise provided to Nebraskans from out of state. LB 221 is a cleanup of the Nebraska Drug Product Selection Act. That was introduced by Senator Byars. The act addresses the issue of when a pharmacist may dispense a generic drug product in place of a brand name product without prior authorization of the prescribing practitioner. It removes the current barrier in the law to reciprocal licensure for out-of-state pharmacists by removing a one year prior practice requirement. LB 8, excuse me, LB 383 was introduced by Senator Synowiecki. The bill says that Nebraska specifically opts out of a provision of the 1996 federal welfare reform law that prohibits convicted drug felons from being eligible for food stamps. LB 383, as amended by the committee, says that drug felons will still be ineligible for food stamps if they have three or more convictions for possession or use of controlled substance, or if they have any convictions for the sale or